

**LIMAVADY BOROUGH COUNCIL**  
**COMHAIRLE BHUIRG LÉIM AN MHADAIDH**

**23 JANUARY 2007**

Minutes of monthly meeting held in the Council Offices, 7 Connell Street, Limavady, which commenced at 7 pm on the above date.

**PRESENT:**

**In the Chair:** Councillor McElhinney

**Other Members:** Aldermen G Mullan, J Rankin and G Robinson. Councillors A Brolly, P Butcher, M Carten, B Chivers, M Coyle, L Cubitt, M Donaghy, B Douglas, C Ó hOisín, A Robinson and E Stevenson.

**IN ATTENDANCE:** - Committee Clerk and the Chief Executive.

**APOLOGIES:** - None

**PRESENTATION BY AUTISM NORTHERN IRELAND ON BAMFORD REVIEW: HUMAN RIGHTS AND EQUALITY OF OPPORTUNITY:**

The Chair welcomed Ms Fiona McCaffrey, Autism NI (PAPA) to the meeting.

Ms McCaffrey provided background information on the early years of Autism NI; incident rates; waiting times for diagnoses and said that there was no regional strategy for those with Autism. She explained that previous attempts to highlight ASD had been lost and the Bamford Review of Human Rights & Equality of Opportunity had failed to mention that there was unequal access for all; the stress levels of carers; injustice to education rights and there was no mention of involuntary detention despite critical mistakes due to lack of expertise.

Ms McCaffrey said the group welcomed debate on ASD and would continue to campaign for legislation by developing links with other countries who already have legislation in place.

Members voiced concern that the Bamford Review of Mental Health & Learning Disability did not adequately address ASD provision. It was agreed that a letter of support would be forwarded to the Secretary of State, Peter Hain, to point out that the lack of policy development was impeding service development and that Council fully supported the cross-party campaign launched at the Northern Ireland Assembly by PAPA for an Autism Programme of Care and a Northern Ireland Autism Strategy. Council acknowledged that the rights and unique abilities of those with ASD must be protected and directed by legislation and it was agreed that PAPA's call for a Northern Ireland Autism Act would be supported.

**MINUTES:**

The minutes of meeting dated 19 December 2006 were approved and signed on the proposal of Councillor Coyle, seconded by Councillor Brolly.

**MATTERS ARISING:** - None

**RATES ESTIMATES:**

Following on from meeting of 17 January 2007, Councillor Coyle Chair of Council's Support Services Committee proposed:

- (a) the adoption of the projected estimated net expenditure of £7,750,773 for 2007/2008;
- (b) the authorisation of the expenditure as set out in the estimates; and
- (c) the adoption of a domestic rate of 0.3335 pence and a non-domestic rate of 22.8353 pence for the year 2007/2008, an increase of 8.64% from the year 2006/07.

Councillor Coyle stated that Council will implement its corporate plan for the period 2007-2009 with the overall mission of serving the community of Limavady Borough in a way that meets its needs for service provision, economic prosperity, sustainable development and quality of life. He said that in so doing, Council was conscious of the need to maintain tight and effective budgetary control and strike a reasonable rate for the incoming year.

Councillor Coyle highlighted that in order to improve services and facilities; Council would be involved in the following activities:

- progressing development of a new Multi-Purpose Civic Centre at Limavady Town Hall site
- provision of 5 new play areas
- undertaking various works to improve access for the disabled to services and facilities
- implementation of a Tourism Strategy for the Borough.
- implementation of a Good Relations Strategy.
- production and distribution of two half yearly Newsletters for residents of the Borough.
- enhancement of Council's website and extension of online services.
- introduction of organic waste collection ('brown' bins).
- provision of additional civic amenity site and
- development of a recycling education and awareness programme.

He said that many of these activities attracted other sources of funding to support the ratepayers contribution thus helping to provide better value for money.

Councillor Coyle outlined that the rates estimated for 2007/08 consisted of:

Loan Charges of £841k which represented an increase of £65k or 8.32% due to loans being taken out to finance the construction of a new multi purpose Civic Centre of £1.5m, (total cost £4m) and the provision of 5 new play areas at £350k.

Wages and Salaries of £4,251k, an increase of £464k due to the cost of living increase of 2.75% costing £110k, an increase in employer's pension contributions rate from 11% to 13% costing £83k, implementation of single status for all employees costing £129k, an additional week costing £35k and additional staff costing £59k for which there is 100% grant aid.

*Other Expenses* of £4,449k, an increase of £360k or 8.8% due mainly to increased oil and electricity prices costing £110k, hiring of replacement vehicles costing £57k, gate fees and landfill tax associated with the disposal of 19,648 tonnes of waste costing £148k and sports development initiatives costing £42k.

*Income* of £1,791k, an increase of £74k generated by Roe Valley Leisure Centre £25k, Building Control fees of £20k and bank interest of £25k.

Councillor Coyle explained that this resulted in net expenditure of £7,751k, an increase of £814k or 11.74% and after allowing for the general grant of £1,636k, an increase of £184k, the amount to be raised by the rates was £6,114k which was equivalent to a domestic rate of 0.3335 pence in the pound, an increase of 8.63% and a non-domestic rate of 22.8353 pence in the pound, an increase of 8.64%.

A number of members objected to the rate increase due to the burden this would put on the ratepayer and those on low incomes. After considerable debate a number of comments were made regarding the civic responsible of Council to strike the rate rather than this being decided by Central Government.

A recorded vote was requested and the proposal to strike the rate was put to the meeting and declared carried, with 9, namely Alderman Mullan, Councillors M Carten, M Coyle, B Chivers, P Butcher, M Donaghy, A Brolly, C Ó hOisín and J F McElhinney voting for and 6, Aldermen G Robinson & J Rankin, Councillors B Douglas, E Stevenson, L Cubitt and A Robinson voting against. There were no abstentions.

#### **CHIEF EXECUTIVES REPORT – JANUARY 2007:**

The Chief Executive presented this report for January 2007 and enlarged thereon. The recommendation within were agreed on the proposal of Councillor Coyle, seconded by Councillor Chivers subject to the following:

**Letter from David Hanson MP:** The Chief Executive explained that letter had been received from David Hanson, MP requesting that Council confirm that they were content to be cited in new regulations under section 53(1)(b)(i) of and paragraphs 1(4), (4A) and (4B) of Schedule 2 to the Representation of the People Act 1983 which give the Chief Electoral Officer a wider power to obtain information from a wider range of local or public authorities to help him meet his registration objectives. Agreed

**Proposal for the Delivery of the New Rural Development Programme:** The Chief Executive updated members on proposals for delivery of the new Rural Development Programme (RDP) in the North West from 2007 – 2013. Members noted that the RDP was set out over the following 4 axis:

1. improving competitiveness of agriculture/forestry
2. improving the environment/countryside
3. the rural economy (£80m) and
4. be delivery through Leader methodology.

It was also noted that the measures included in the axis 3 include diversification into non agricultural activities; business creation & development; encouraging tourism; basic services for the economy & the rural population; village renewal & development and conservation and upgrading of the rural heritage.

**Best Value Performance Indicator's Report:** The Chief Executive tabled a report from the Department of Environment which detailed performance indicators (PI's) on 21 out of the 26 Councils in Northern Ireland on corporate health, building control services, environmental health, leisure facilities, waste collection, waste disposal and street cleaning.

Congratulations was extended to Building Control on the high level of domestic full plan applications receiving a first assessment within 21 days from date of receipt and to Environmental Health for ranking on food safety. However, concern was expressed at the figure for net cost of indoor leisure per admission compared to other Councils.

It was agreed that a query regarding levels of waste recycled compared to waste generated would be passed to Director of Environmental Services for comment.

**Format of Council Minutes:** The Chief Executive explained that the Chairs of Councils Standing Committees had been consulted regarding proposals to change the format of Council minutes. He said advice had been considered by Raymond Knowles on legal nature and purpose of minutes, as well as suggested best practices as follows:

- (a) to establish an accurate record of decisions taken
- (b) to comply with legal requirements and
- (c) to provide *adequate* information about the Authorities business for press and the public.

The Chief Executive provided a breakdown of principles of good practice in minute taking and said a minute is not a verbatim record but a summary of proceedings which should include the essence of discussions and any decision arising. Bearing this in mind he proposed that the following be used as guidelines to commence immediately:

- A. minutes would record the purpose of a discussion, the central points raised by members, the decision taken and the decision making detail, i.e. who proposed, seconded etc. and in sufficient detail to show that Standing Orders and legal requirements were met.
- B. minutes shall not be 'attributive' i.e. individual's comments or contributions to debates shall not be attributed to a named Councillor. Phrases such as "a discussion took place" or "a number of points were raised by members" may be used particularly if a fast flowing or heated discussion has ensued.
- C. Councillors may wish to ensure a specific point is recorded and such a request could be made and agreed to when the minutes are put forward for approval at the next meeting.
- D. original detailed notes shall be retained should they be required to clarify an issue but cannot be taken as verbatim.

The proposal was discussed at length and the following comments were raised:

- the importance of notes being retained
- the need for a balanced minute
- once adopted minutes would not be changed
- items discussed would be clearly understood from minute record and
- the importance of opposition views being heard in the majority Council.

Councillor Cubitt indicated that he was unhappy with the word adequate and proposed that a **clear, accurate and concise record be recorded** of decisions of Council business. Councillor Coyle proposed an amendment that Council accept A, B and C but not D as access to notes should be restricted. In the confusion that followed, a recorded vote was requested and Councillor Coyle's proposal was put to the meeting, subject to agreement to insert Councillor Cubitt's words (highlighted) into the amendment.

On being put to the meeting the proposal was declared carried, with 9 voting for, namely Alderman Mullan, Councillors M Carten, M Coyle, B Chivers, P Butcher, M Donaghy, A Brolly, C Ó hOisín and J F McElhinney. Aldermen G Robinson and J Rankin, Councillors B Douglas, E Stevenson, L Cubitt and A Robinson did not vote against.

**Nomination to the Board of LCDI:** Councillor Ó hOisín was nominated to the board of LCDI on the proposal of Councillor Butcher, seconded by Councillor Brolly.

**Dungiven Castle Sub Lease Update (IN COMMITTEE):** *Councillor Butcher expressed an interest in the topic under discussion and left the meeting.* The Chief Executive updated members regarding request to sub-lease Dungiven Castle. Members voiced disappointment at the delay in obtaining final approval from the Department before being able to proceed and to the effect this would have on jobs, tourism and revenue to the private sector provider who had requested the sub-lease and to the Borough.

It was agreed that the Chief Executive would write to the Department asking for a speedy response to the request and prevent the Castle falling into disrepair.

#### **POLICIES/GUIDANCE FOR ADOPTION BY COUNCIL:**

**Health & Safety Policy:** Adopted on the proposal of Alderman Rankin, seconded by Councillor Butcher.

**Guidance on Lone Working:** Adopted on the proposal of Councillor Cubitt, seconded by Councillor Coyle.

#### **EXTERNAL MINUTES NOTED:**

- Altnagelvin Hospitals Health & Social Services Trust – 2 November 2006
- Foyle Health & Social Services Trust – 15 December 2006

#### **RESOLUTION SUBMITTED BY CASTLEREAGH BOROUGH COUNCIL:**

It was agreed that the following resolution submitted by Castlereagh Borough Council would be noted:

“The Council resolved to write to the BBC to express its annoyance at adverse and derogatory remarks made by Stephen Nolan on its radio programme in relation to recycling, as members were of the opinion that his comments were undermining the considerable effort being made by all local authorities to encourage the public to actively separate their waste for recycling and also to write to all Councils in Northern Ireland and arc21 to seek their support”.

**CONSULTATIONS:** - None

**COURSES & CONFERENCES:**

It was agreed that the following members/officers would attend the conferences/courses listed:

- Director of Support Services to attend the All-Island Infrastructure Investment Conference 2007 to be held 14 & 15 February 2007 in Slieve Donard, Newcastle at a cost of £425+VAT.
- Chief Executive (2 day) and Director of Development (1 day) to attend the NILGA Annual Conference and Exhibition to be held 15 & 16 February 2007 in Armagh City Hotel at a cost of £170+VAT per delegate.
- Chief Executive to attend the Future of Social Housing in Northern Ireland Seminar to be held 28 February 2007 in Wellington Park Hotel, Belfast at a cost of £155+VAT.
- Two Officers to attend the Renewable Energy Conference to be held 22 February in Share Centre, Lisniskea - no fee.

**PROPOSED AMENDMENT TO RIGHT OF WAY – 145 MAIN STREET, DUNGIVEN:**

At the request of Glenshane Community Development, it was agreed that discussion on proposed amendment to right of way at 145 Main Street, Dungiven would be deferred.

**SEAL LEGAL DOCUMENTS:** - None

**ANY OTHER BUSINESS:**

**Request by Westcare for Land Acquisition – Dungiven Health Centre:** The Chief Executive tabled letter from Westcare Business Services which requested that Council agree to transfer ownership of two small parcels of land approx 12 m<sup>2</sup> and 6 m<sup>2</sup> to Foyle Trust together with an easement over 14 m<sup>2</sup> for access to maintain the exterior of a proposed new boiler house.

A number of concerns were raised to oil spillage and proximity of oil tank to nearby tennis courts. It was agreed on the proposal of Councillor Coyle, seconded by Councillor Ó hOisín that Westcare be requested to submit an amended proposal.

**Confidential HR Report Conducted on Behalf of Council by Alistair Joynes:** As requested, the Chief Executive tabled copies of the above confidential report for member's information. The copy was declined by Sinn Féin and SDLP members.

**FORMAL CORRESPONDANCE:**

- Regulations of Water Service Discharges Report 2005 – A Report by the Water Management Unit
- Home Energy Conservation Report 2006 – Tenth Annual Progress Report on the Home Energy Conservation Strategy for Northern Ireland
- Workers Educational Association – Annual Report 2005-06

- Creating Common Ground – 40 Communities Programme
- Northern Ireland Human Rights Commission – Annual Report and Financial Accounts 2005/06
- RNID – Impact, How we made a difference in 2005/06
- Equality Commission for Northern Ireland – Monitoring Report No 16 ‘A Profile of the Northern Ireland Workforce’ Summary of Monitoring Returns 2005
- Northern Ireland Authority for Energy Regulation – Annual Report 2005/06
- Police and Crime Standards Directorate – Directors Report 2005/06
- Northern Ireland Community Relations Council – 16<sup>th</sup> Annual Report 2005/06
- Invest Northern Ireland – Annual Report and Accounts 2005/06
- Western Investing for Health – Annual Report 2006
- Review of Affordable Housing – Interim Report
- Ulster Sports Trust – Annual Report 2005/06

**NEXT MEETING:**

27 February 2007

**THIS CONCLUDED THE BUSINESS**

**(The meeting ended at 9.20 pm)**

**Signed:** \_\_\_\_\_  
**Chair of Meeting**